

**THE MINUTES OF THE HOUSE STANDING COMMITTEE
ON
JUDICIARY**

Wednesday, November 30, 2005

10:30 a.m.

Room 308 House Office Building

The House Standing Committee on Judiciary was called to order by **Representative William Van Regenmorter**, Chair.

MEMBERS PRESENT: Representatives Van Regenmorter, Schuitmaker, Newell, Nofs, Stakoe, Elsenheimer, Jones, David Law, Rocca, Lipsey, Condino, Adamini, McConico, Bieda and Virgil Smith.

MEMBERS ABSENT/EXCUSED: None.

Chairman Van Regenmorter laid **SB 448** before the committee:

SB 448 Cropsey	Courts; judges; salary for judges; revise, establish concurrent jurisdiction for probate judge and district judge, and provide other amendments.
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TESTIMONY

Mark Gates, Deputy Supreme Court Counsel and Counsel to the State Court Administrative Office, testified in support of the bill.

John Lazat, from Senator Cropsey's office, submitted a card in support of the bill and was available for questions.

Representative Rocca moved to adopt the substitute (**H-2**) to **SB 448**. The motion was supported by **Representative Bieda**.

The motion prevailed by a vote of **14-0-0**.

FAVORABLE ROLL CALL:

Yeas: Representatives Van Regenmorter, Schuitmaker, Newell, Nofs, Stakoe, Elsenheimer, Jones, David Law, Rocca, Lipsey, Condino, Adamini, Bieda and Virgil Smith,

Nays: None,

Pass: None.

Representative Jones moved to report **SB 448** with recommendation, as substitute (**H-2**). The motion was supported by **Representative Rocca**.

The motion prevailed by a vote of **14-0-0**.

FAVORABLE ROLL CALL:

Yeas: Representatives Van Regenmorter, Schuitmaker, Newell, Nofs, Stakoe, Elsenheimer, Jones, David Law, Rocca, Lipsey, Condino, Adamini, Bieda and Virgil Smith,

Nays: None,

Pass: None.

Chairman Van Regenmorter laid **HB 5374** before the committee:

HB 5374 Van Regenmorter Courts; judges; number of judgeships in various circuits and districts; revise.

TESTIMONY

Mark Gates, Deputy Supreme Court Counsel and Counsel to the State Court Administrative Office, testified in support of the bill.

David Szymanski, Wayne County Probate Judge, representing the Michigan Probate Judges Association, testified in opposition to the bill.

Representative David Law moved to adopt the substitute **(H-2)** to **HB 5374**. The motion was supported by **Representative Rocca**.

The motion prevailed by a vote of **13-2-0**.

FAVORABLE ROLL CALL:

Yeas: Representatives Van Regenmorter, Schuitmaker, Newell, Nofs, Stakoe, Elsenheimer, Jones, David Law, Rocca, Lipsey, Condino, Adamini and Bieda,

Nays: Representatives McConico and Virgil Smith,

Pass: None.

Representative Lipsey offered the following amendment to **HB 5374 (H-2)**.

1. Amend page 4, line 25, by striking out all of section 8135.

Representative Lipsey moved to adopt the amendment. The motion was supported by **Representative Condino**.

The motion did not prevail by a vote of **6-9-0**.

UNFAVORABLE ROLL CALL:

Yeas: Representatives Lipsey, Condino, Adamini, McConico, Bieda and Virgil Smith,

Nays: Representatives Van Regenmorter, Schuitmaker, Newell, Nofs, Stakoe, Elsenheimer, Jones, David Law and Rocca,

Pass: None.

Representative Virgil Smith offered the following amendment:

1. Amend page 3, line 2, by striking out all of section 803.

Representative Virgil Smith moved to adopt the amendment. The motion was supported by **Representative McConico**.

The motion did not prevail by a vote of **6-9-0**.

UNFAVORABLE ROLL CALL:

Yeas: Representatives Lipsey, Condino, Adamini, McConico, Bieda and Virgil Smith,
Nays: Representatives Van Regenmorter, Schuitmaker, Newell, Nofs, Stakoe, Elsenheimer,
Jones, David Law and Rocca,
Pass: None.

Representative Rocca moved to report **HB 5374** with recommendation, as substitute (**H-2**). The motion was supported by **Representative David Law**.

The motion prevailed by a vote of **11-4-0**.

FAVORABLE ROLL CALL:

Yeas: Representatives Van Regenmorter, Schuitmaker, Newell, Nofs, Stakoe, Elsenheimer,
Jones, David Law, Rocca, Lipsey and Bieda,
Nays: Representatives Condino, Adamini, McConico and Virgil Smith,
Pass: None.

There being no further business to come before the committee, the Chair adjourned the meeting at 11:57 a.m.

Representative William Van Regenmorter, Chair
House Standing Committee on Judiciary
Malika Abdur-Rashid
Committee Clerk
517-373-7256
1 Hour 27 minutes